

BY THE COUNCIL

Read the third time.

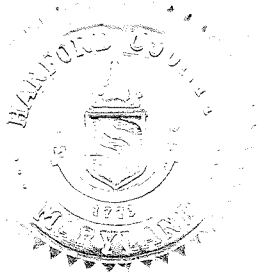
Passed LSD 80-9 (April 1, 1980) (with amendments)

~~Failed XXXXXXXX~~

By order

Angela Markowski, Secretary

Sealed with the County Seal and presented to the County Executive  
for his approval this 2nd day of April, 1980  
at 3:00 o'clock P.M.



Angela Markowski, Secretary

BY THE EXECUTIVE

APPROVED:

[Signature]  
County Executive  
Date April 5, 1980

BY THE COUNCIL

This Bill, having been approved by the Executive and returned  
to the Council, becomes law on April 8, 1980.

Angela Markowski, Secretary

Rec'd & Recorded Aug. 26 1980 at 10:11 A.M.  
HDC. Ltr. 5 149 2, examined per  
H. Douglas Chilton, Clerk, Hartford Co.

EFFECTIVE DATE: June 9, 1980

1 (b) From the date of commencement of construction through  
2 the completion of substantial construction, the company shall  
3 furnish the county with progress reports at six month intervals,  
4 the first such report to be made one year from the date of  
5 commencement of construction. Such reports shall indicate, in  
6 detail, the progress of construction.

7 (c) Annual financial reports shall be submitted [in the  
8 manner provided by this article] TO THE GRANTING AUTHORITY ON THE  
9 FINANCIAL DATA FORMS REQUIRED TO BE FILED WITH THE FCC AND ARE  
10 DUE ON THE SAME DATE AS REQUIRED BY THE FCC.

11 (b) THE COMPANY SHALL SUBMIT AT THE SAME TIME AS ITS  
12 FINANCIAL REPORTS AN EXPANSION SCHEDULE FOR THE NEXT TWELVE  
13 MONTHS SHOWING ITS PLANS FOR EXTENDING SERVICE IN ITS FRANCHISE  
14 AREA.

15 (c) THE COMPANY SHALL ALSO SUBMIT AT THIS TIME A PROJECTION  
16 OF POSSIBLE AREAS OF EXPANSION FOR THE TWELVE-MONTH PERIOD SUB-  
17 SEQUENT TO THE PERIOD COVERED BY THE EXPANSION SCHEDULE.

18 (d) Within ten days after the company, its affiliates and  
19 subsidiaries have filed a report, petition or communication with  
20 any governmental body pertaining to any aspect of the company's  
21 operations in the county, it shall file copy of such document  
22 with the county.

23 (e) The company shall keep on file with the granting  
24 authority a current list of all officers, directors and stock-  
25 holders owning five percent or more of the company, its parents,  
26 subsidiaries or affiliates.

27 (f) With reasonable expedition, upon request of the granting  
28 authority, the company shall submit any further information with  
29 regard to the business of the company as the granting authority  
30 may reasonably request.

31 Section 2. *And Be It Further Enacted*, that this Act shall take  
32 effect sixty (60) calendar days from the date it becomes law.

EFFECTIVE: June 9, 1980

1 data, as requested by the granting authority, whichever date is  
2 later. No increase [in rates] charged to subscribers shall be  
3 made until the conclusion of an appropriate public proceeding  
4 affording due process. However, the company may add to the  
5 monthly service charges specified taxes or fees, including  
6 copyright fees, imposed by federal, state or local government or  
7 legislative bodies. THIS SECTION DOES NOT APPLY TO A RATE OR FEE  
8 REGULATED OR PRE-EMPTED BY THE FCC AND A CHANGE CAUSED SOLELY BY  
9 AN INCREASE IN A VENDOR'S CHARGE TO THE COMPANY.

10 (b) IN ORDER TO PROVIDE SERVICE TO AREAS WHICH HAVE FEWER  
11 THAN THIRTY-FIVE SUBSCRIBERS PER MILE, THE COMPANY MAY ADD A  
12 SURCHARGE ON THE INSTALLATION FEE FOR THIS SERVICE BASED ON A  
13 CONTRIBUTION IN AID OF CONSTRUCTION FORMULA. THIS SURCHARGE  
14 FORMULA IS SUBJECT TO APPROVAL OF THE GRANTING AUTHORITY AFTER AN  
15 APPROPRIATE PUBLIC PROCEEDING AFFORDING DUE PROCESS. ANY INCREASE  
16 CHANGE IN THE SURCHARGE FORMULA IS SUBJECT TO THE PROVISIONS OF  
17 SUBSECTION (a) OF THIS SECTION.

18 [(f)] (c) No charge shall be made for a period of five  
19 years from the commencement of cable television service to the  
20 county for the use of the county channel or to the school system  
21 for use of its channel. In addition, the company will provide  
22 one noncommercial public channel without charge, except as may be  
23 permitted by the FCC, to county residents. Additional channels,  
24 made available on a public access basis, may be leased by the  
25 company.

26 Section 6-40. Progress and status reports.

27 (a) [Within six months from the date of the certificate of  
28 compliance, the FCC or within nine months of the effective date  
29 of the franchise, whichever is sooner, the company shall submit  
30 to the county its construction plan, indicating the timetable for  
31 construction and extension of the various segments of the system.  
32

1 Section 6-36. Rates.

2 [(a) The initial rates for basic service to residential  
3 subscribers shall not exceed the following amounts:

4 (1) For service, six dollars and ninety-five cents a  
5 month for the first outlet and one dollar and fifty cents for  
6 each additional outlet.

7 (2) Installation of original service, twenty-five  
8 dollars; installation of any additional outlets on original  
9 service, five dollars.

10 (3) Moving an outlet, five dollars.

11 (4) Reconnecting an outlet or outlets, fifteen dollars.

12 (5) Reconnection of service discontinued because of  
13 change of occupant, five dollars.

14 (b) Rates for FM radio services to residential subscribers  
15 shall not exceed the following amounts: For service, one dollar  
16 and fifty cents a month for each outlet. The first outlet shall  
17 be considered, for the purpose of rates, an additional outlet if  
18 the subscriber receives basic service.

19 (c) All rates, charges, terms and conditions relating  
20 thereto shall be nondiscriminatory.

21 (d) Within thirty days after the completion of its annual  
22 audit prior to March 15, the company shall file all of its  
23 financial statements and reports for the preceding calendar year  
24 indicating a full schedule of all services offered and rates  
25 charged, and such other information as the county may reasonably  
26 request.]

27 [(e)] (a) In the event that the company seeks to increase  
28 [the rates of basic services] ANY RATE OR FEE, it shall file a  
29 written request specifying the justification thereof, and the  
30 granting authority shall rule on each such request within one  
31 hundred fifty days from the date of the company's filing or  
32 within thirty days after the filing of additional supporting

1 Section 1. *And Be It Enacted By The County Council of Harford*  
2 *County, Maryland*, that Sections 6-33, 6-36, and 6-40 of Article  
3 VII, heading, Community Antenna Television, of Chapter 6, heading,  
4 Businesses, of the Harford County Code, as amended, be, and are  
5 hereby repealed and re-enacted, with amendments, all to read as  
6 follows:

7 Chapter 6. Businesses.

8 Article VII. Community Antenna Television.

9 Section 6-33. Construction and installation of system.

10 (b) The company shall construct and extend the installation  
11 of its system throughout the county, or in the specified areas of  
12 the county for which a franchise is granted, in the manner and  
13 in accordance with the timetable set forth in the franchise. It  
14 shall commence construction no later than one year from the  
15 effective date of the franchise or within one year after final,  
16 legal resolution of any approvals or actions that may be required  
17 by the FCC or any other federal, state or local agency, whichever  
18 is later, and shall have completed or substantially completed  
19 construction within five years from the date on which construction  
20 is commenced. The franchisee shall accomplish significant  
21 construction within one year, as aforesaid, and shall equitably  
22 and reasonably extend energized trunk cable [to twenty percent of  
23 the franchise area] IN ACCORDANCE WITH THE EXPANSION SCHEDULE  
24 FILED UNDER SECTION 6-40(b) each year thereafter in order to  
25 provide service to [all] potential subscribers throughout the  
26 franchise area [no later than the end of the fifth year after  
27 construction is commenced, except as may be otherwise provided in  
28 any extension of service provision set forth in the franchise  
29 agreement]. All approvals, licenses and permits required to  
30 construct the system shall be applied for, and the application  
31 for certificate of compliance filed with the FCC, by the company  
32 within sixty days from the date of the granting of the franchise.

AS AMENDED

COUNTY COUNCIL  
OF  
HARFORD COUNTY, MARYLAND

BILL NO. 80-9 (AS AMENDED)

Introduced by Council President John W. Hardwicke &  
Councilwoman Barbara A. Risacher

Legislative Day No. 80-4 Date February 19, 1980

AN ACT to repeal and re-enact, with amendments, Sections 6-33, 6-36, and 6-40 of Article VII, heading, Community Antenna Television, of Chapter 6, heading, Businesses, of the Harford County Code, as amended; to provide for expansion requirements, review of rates and filing of reports, and to allow a surcharge for providing services in certain areas.

By the Council, February 19, 1980

Introduced, read first time, ordered posted and public hearing scheduled

on: March 18, 1980

at: 7:00 P.M.

By Order: Angela Marbrachi, Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on March 18, 1980 and concluded on March 18, 1980

Angela Marbrachi, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.